Johns Creek Estuary Project
CELCP Summary

Appendix A: Project Description/Scope of Work

Project Size and Relationship to the Coast and/or Estuary

Johns Creek Estuary acquisition will acquire 76 acres of saltmarsh/ estuary and Puget Sound Oak prairie through a partnership between Washington Department of Fish and Wildlife (WDFW) and Cascade Land Conservancy. The project will protect 2,400 feet of marine shoreline and 27 acres of highly functional saltmarsh estuary. Additionally, 1,600 feet of salmon spawning creek would be protected, which includes habitat for five salmonid species including the threatened Puget Sound Chinook and coho, chum, winter steelhead and sea-run cutthroat. The estuarine complex of mudflats, emergent salt marsh vegetation and dendritic channels provide important salmon rearing, refuge, and transitioning habitat.

Legal Rights to be Acquired

The property will be acquired by fee simple purchase by the Washington Department of Fish and Wildlife (WDFW). The property will be jointly managed and restored with Cascade Land Conservancy (CLC).

CELCP Goals

Johns Creek Estuary is an important coastline for multiple purposes under the CELCP goals. As the program requires a purpose be prioritized, the primary purpose of the Johns Creek Estuary project is **ecological** protection because of the extensive salt marsh areas and sensitive areas currently under threat of further conversion and residential development by the Sellers. The secondary purpose of the project is **conservation**, as the property is a network of lands that are part of the Upper Oakland Bay Conservation Effort to protect high quality nearshore, estuarine, shoreline and freshwater habitats over more than 4 miles of shoreline and 2.5 miles of freshwater streams and four estuaries. Without funding, the ecological and conservation values, as well as other CELCP values, of this property will be lost or impaired by residential development.

Ecological

The Washington State CELCP plan identifies a goal of protecting natural uplands and shorelines of Puget Sound.

- This project would protect 2,400 feet of marine shoreline and 27 acres of highly functional saltmarsh estuary.

Oakland Bay is part of Puget Sound's large, complex system of estuaries that support tremendous biological productivity and diversity. The plankton-rich waters, eelgrass beds and salt marshes sustain a vast array of fish and wildlife species. The intertidal estuarine mudflats are considered to have the highest ecological function for salmonids of all the habitat types in Oakland Bay, providing food production, migration corridors, physiological refuge and predator refuge. Many species that depend on nearshore and marine habitats, such as salmon, forage fish, and waterfowl have declined in numbers. Oakland Bay estuary is important habitat for waterfowl such as wintering surf-scoters which are declining throughout Puget Sound.

The Johns Creek Estuary estuarine complex of mudflats, emergent salt marsh vegetation and dendritic channels provide important salmon rearing, refuge, and transitioning habitat. The estuary supports federally threatened Puget Sound Chinook and coho salmon. The saltmash and mudflats shallow waters support a rich food web and abundant prey for salmon species, as well as migratory bird species. Much of the shoreline habitat diversity in Puget Sound has been degraded since the 1800's. Saltmarsh habitat has been most impacted, with estimated losses in Puget Sound over 70% (Puget Sound Action Team, 2002a, *Puget Sound Update 2002*). Riparian habitat adjacent to salt marsh and shorelines has been similarly impacted with residential development.

The saltmarsh is composed of a diverse wetland vegetation community and is rich in invertebrates. It provides nesting sites and a food source for numerous species, including marsh wren and northern harrier. Mudflats support a large epibenthic community and eelgrass beds and provide foraging and resting habitat for spring and fall migrating shorebirds.

The estuary in Oakland Bay is important habitat for wintering waterfowl, particularly declining seaducks. The white-winged scoters, greater scaup, goldeneye and bufflehead are all resident here.

- This project will protect 1,600 feet of salmon spawning creek and associated riparian areas.

This project will benefit five species of Pacific salmon, including the federally listed salmon species, Chinook and coho, which spawn in Johns Creek. Chinook are considered the most dependent on estuarine habitat during their early life history. After emerging from gravel areas juvenile Chinook and chum salmon immediately move to estuarine areas, in this case the mouth of Johns Creek. Both species are dependant upon shallow protected nearshore waters for refuge from predators and estuaries having a wide salinity gradients offer abundant food sources.

The acquisition of the property includes a surface water right to withdraw water from Johns Creek. Sellers of the property have made ready use of this right for irrigation of the golf course and securing this water right and returning it to instream flow will improve water quantity for federally endangered salmon species that utilize the creek and estuary for spawning and rearing.

- The project will protect 49 acres of upland prairie habitat.

The interface of oak-prairie habitat and marine shoreline is very rare in south Puget Sound and largely is a result geologic processes of the last ice age. Johns Creek is one of the few places in the greater Puget Trough where the Prairie habitat extends to the saltmarsh and marine shoreline. Oak trees, estimated to be more than 120 years old, grow right to the edge of the salt grass community and have been preserved largely because of their compatibility with the current use of the property.

The past uses of the property as a golf course for more than 80 years has protected some very large and old oak trees and should ease the restoration effort once the property is acquired. The prairie habitat on this site has been altered but offers restoration opportunities. The existing large gravel outcroppings and shallow soils have limited owners from doing any extensive landform alteration and prairie restoration would be relatively easy.

This prairie habitat is important for the state threatened mazama pocket gopher, which had been found in the upper reaches of Johns Creek known as the Johns Prairie site in Mason County. The mazama pocket gopher is a unique sub species of the threatened gophers, as this population has been isolated from remaining populations in Puget sounds basin since the last ice age. WDFW has successfully reintroduced mazama pocket gopher to prairie restoration sites and believe, as part of the future restoration of the upland portion of this site, the gophers could be reintroduced.

Conservation

This project site is a *conservation* "target area," as defined in the Washington State's 2007 Coastal and Estuarine Land Conservation Plan. The project is in the Puget Sound ecoregion. The Johns Creek estuary and stream are critical for salmon life history strategies including the Threatened Puget Sound Chinook. It is a primary focus of not only spawning and rearing but also it is an important Tribal and recreational chum salmon fishery that exists at Johns Creek. The project protects 27 acres of high quality intact emergent saltmarsh wetlands. The project addresses three identified action tasks to recover and protect salmon in Johns Creek under Water Resource Inventory Area (WRIA) 14 Salmon Habitat and Restoration Plan (2004), including (1) abating the threats associated with golf course activities, including the use of pesticides and herbicides, (2) Investigate extent and opportunities to restore riparian and estuary functions, and (3) protect existing wetland and nearshore habitats from development and shoreline armoring.

This project will complement other existing efforts to preserve estuarine habitat in upper Oakland Bay. There are four salmon spawning streams in upper Oakland Bay. Through Washington State grants, three of these esturine areas have already received protection. This will provide protection on the fourth and largest spawning stream system. Washington State Salmon Recovery Funding Board has already funded two other estuary protection acquisitions in the upper end of Oakland Bay, Twin Rivers Ranch and Maleney Creek. (see map)

Many state agencies and local units of government have partnered with more than 6 non-profits and the local tribe to conserve the Upper Oakland Bay Area. The Johns Creek project is the largest remaining acquisition and most important restoration to complete in the focus area.

Recreation

This project would provide permanent access to an important south sound shoreline for non motorized pedestrian activities. The existing golf cart paths provide a network of future loop trails for visitors to passively enjoy the shoreline and observe future restoration.

WDFW owns over 80 acres of adjacent tidelands for public shellfish harvest opportunities. Over 2,000 people visit upper Oakland Bay a year to dig clams. WDFW maintains a public access point adjacent to the proposed acquisition and manages public shellfish access and harvest. The Squaxin Tribe exercise tribal shellfish harvest rights as part of their usual and accustom areas on this site as well. The addition of this property also provides shellfish harvest access to beds currently closed to public harvest or difficult to access.

Oakland Bay is the nation's leading producer of manila clams, producing more than three million pounds annually. There are more than 25 commercial shellfish growers in the bay working to improve water quality and support conservation and their livelihood. Protection of this site helps protect further degradation of the water quality Upper Oakland Bay.

Johns Creek is one of the largest salmon fisheries in Puget Sound. The public does not currently have legal access to the creek which has caused several conflicts with neighbors in the past. The conservation of this site will ease this issue.

With partners, and funding through other sources, the current golf course clubhouse will be acquired and converted to an education center targeted at environmental and water quality education.

Historical Significance

The site is used by the Squaxin Island Tribe and protected by treaty, as it supports the ceremonial, subsistence, and commercial interest of tribal members. The site's significance as a geomorphic feature on Oakland Bay makes it a important cultural location to the Sa-Heh-Wa-Mish ancestors of the Squaxin Tribe. The tribe includes Johns Creek and estuary by treaty in its usual and accustomed fishing and shellfish harvest grounds. Tribal use and recognition of the site is very important.

The project area has been, more or less, publicly accessible since the 1930s, not only for golf but for walking trails. Generations of citizens have visited the area over the last 80 years for a variety of recreational opportunities including, fishing, shellfish gathering, and golfing. Bringing the property into public ownership and maintaining that access is of tremendous public concern. The threat of the property transitioning into a private estate of 15 or more homes is not desirable. Maintaining this well know access point to Oakland Bay has broad public support in the community.

Aesthetic

The site provides views of marine and estuary shoreline (2,400 feet) and is easily accessible off Highway 3. These scenic vistas will be conserved and enhanced through this conservation and restoration actions under this proposal. Under public ownership, the site can regularly be accessed for wildlife viewing, from salmon spawning to birding activities. The site provides opportunities to easily view the commercial shellfish industry at work, an important element to the economic health and water quality of south Puget Sound.

Relevance to CELCP and other State/Local Plans

The project meets all of the criteria to qualify as a "project area," as defined by Washington State's Coastal and Estuarine Land Conservation Program (CELCP) plan. The project will protect *ecological* features including estuarine wetlands, freshwater wetlands associated with the stream riparian zone, undeveloped saltwater shoreline, and adjacent upland oak prairie.

Relevance to Washington State Plans and Programs

Coastal Zone Management Plan (2006):
By protecting coastal wetlands, the project will fulfill a high priority programmatic objective of the Washington Coastal Zone Management Section 309 Assessment and Strategy. In addition, by increasing public access to a coastal property, the project will fulfill a medium priority objective of the CZMAS to "acquire, improve, and maintain public access sites to meet current and future

demand through the use of innovative funding and acquisition techniques." Preservation of natural shorelines and protection of coastal wetlands through non-regulatory means are also programmatic objectives of the CZMAS.

Washington Department of Fish and Wildlife Comprehensive Wildlife Conservation Strategy (2006):
This project reverses habitat loss, recovers salmon populations, and restores habitat, which are all objectives of this plan. In addition, it is a multi-species effort, including meeting goals for the pocket gopher, scaup, white-wing scoter, surf scoter, and multiple salmon species.

Washington Department of Fish and Wildlife Strategic Plan (2004):
This acquisition achieves several goals of the WDFW Strategic Plan including: Goal 1: Healthy diverse wildlife populations are achieved by conserving the prairie, riparian zone and estuary of the project area; Goal 2: Ensure sustainable fish and wildlife opportunities are achieved by providing fishing and shellfishing gathering access on this property.

Relevance to Regional Puget Sound Plans and Programs

US Fish and Wildlife Coastal Program Strategic Plan for Hood Canal and S. Puget Sound Focus Areas (2006):

This plan identifies the need for protecting fish and wildlife habitat and restoring nearshore habitats. This project meets both of those objectives.

COASTAL HABITATS IN PUGET SOUND: A Research Plan in Support of the Puget Sound Nearshore Partnership (2006):

This project directly advances 4 of the 6 goals of the Puget Sound Nearshore Partnership, in particular, the goal to, "protect and/or restore functional habitat types in Puget Sound nearshore and watershed for ecological and public values such as supporting species and biotic communities, ecological processes, recreation, scientific research, aesthetics, and other beneficial human uses."

Relevance to Local Plans and Programs

Mason County, Washington Shoreline Master Plan (2003): The Plan notes that, "the shorelines of Mason County are among the most valuable and fragile of its natural resources and there is great concern relating to their utilization, protection, restoration and preservation." This project offers the opportunity to protect and restore this shoreline and offer a public access point.

WRIA 14: Salmon Habitat Protection and Restoration Plan (2004):
The Salmon Habitat Protection and Restoration Plan for WRIA 14 identifies four elements that need to be addressed that are achieved by this project; restore riparian buffer, increase large woody debris in stream of Johns Creek, remove pesticides from the golf course, and restore estuarine function.

South Puget Sound Salmon Recovery Plan (2005):
The South Puget Sound Salmon Recovery Group identified loss of or modification of riparian and estuarine habitat as a key issue to address in the region. This group also identifies the upper Oakland Bay as a key are for conservation.

Relevance other Conservation Planning Efforts

Puget Sound Chinook, Chum and Bald Eagle, as federally listed species, have species recovery plans in place and all three species use this site in one or more of their life cycles.

Manageability of the Project Site

Current use and condition: The property is currently managed as a nine-hole golf course with 27 acres of saltmarsh and estuary. Johns Creek flows through the property and does not have a fully functioning riparian buffer. The existing golf course activities have been identified as a threat to Oakland Bay salmon and water quality. Under conservation ownership the regular use of pesticides and herbicides will cease.

Proposed use by owners: The course is open to the public and the owners are approaching the last years of the current golf course memberships, a legacy of previous owners. A new 18-hole course is being constructed approx 15 miles from the site and competition in membership to golf courses has increased in the region. The owners have determined that subdividing the golf course for waterfront estate homes is a better and higher use of the property. The purchase of these lands conserves the estuary, maintains open space and riparian function, and protects water quality. Acquired land will become part of the existing WDFW wildlife area and managed in conjunction with partner organizations according to the WDFW's management plan for fish and wildlife resource protection.

Development potential and surrounding ownerships: The property was listed with a realtor, CB Richard Ellis, in January 2008. The project site is currently zoned Rural Residential 5 (RR5) and allows for a residential unit for every 5 acres. Each unit would require a well and septic system. This site would allow for smaller lots in a cluster to exercise all of the development potential. The site could be developed into 15+ residential homes. The property to the north is owned by WDFW and the lands to the south are already developed as residential homes. To the west is HWY 3 and the other side of the highway is small commercial area. Further upstream on Johns Creek the largest owners are Green Diamond Timber Company and the Port of Shelton.

Restoration and remediation opportunity: Johns Creek is a high priority restoration area for the Squaxin Tribe, WRIA 14 Lead Entity, People for Puget Sound, and Cascade Land Conservancy. Funding will be sought for restoration once the site is acquired but several partners have identified the potential for funding from Washington Salmon Recovery Funding Board, the Puget Sound Partnership's nearshore restoration program, and USFWS National Coastal Wetland Program.

Salt Marsh/Marine Shoreline: Dikes run all the way along the shoreline ranging from 1 foot to 5 feet high in some places. These earthen dikes will be easy to remove and those that are taller, particularly in areas that were historically dendritic channels and sloughs, will be breached and engineered to increase the habitat diversity on the shoreline.

Riparian Corridor: Conifers will be planted with shrubs and under story species to increase stream cover and reduce instream temperatures. Instream habitat structure will be improved with large woody debris. Dikes, although few, will be removed and provide for improved sinuosity and channel migration of Johns Creek.

Oak-Prairie Restoration in uplands: The existing "turf" will be broken up in some areas and prairie species will be plugged or seeds will be broadcast. The existing Oak trees will contribute to the overall success of restoration. Local volunteers will be a big part of this effort as they have been is similar projects across south sound. WDFW, The Nature Conservancy, Cascade Land Conservancy and others have locally successful volunteer efforts around prairie restoration. Existing irrigation system will be helpful in the success of the prairie restoration.

Invasive Species: The site is well manicured and does not have an invasive species problem. Management of invasive and exotic species will be important concern and a large component of the future restoration.

Long-Term Use of the Site

The project will become part of the WDFW Wildlife Area and managed for perpetual protection of the riverine and estuarine processes. The shellfish access, seasons, and harvest will be managed by the WDFW shellfish program which currently monitors the adjacent shellfish beds.

Cascade Land Conservancy will manage the restoration with support from the People for Puget Sound. Some of the maintenance structures on the site will be maintained for restoration equipment and others will be raised. Portions of the property with maintenance structures will be acquired with matching funds, not the Federal Share. Structures razed will be covered with WDFW and/or CLC funding.

The golf course clubhouse will be used as an interpretive center around the water quality and other marine environmental education.

Threat of Conversion

This property is one of the largest privately held ownerships on Oakland Bay and one of the last to remain relatively undeveloped. Due to market factors in the area impacting nine-hole golf courses the owners intend to convert the property to a 15 + unit housing development. This window of opportunity not only protects the intact estuarine and existing riparian benefits but also reverses the impacts of the golf course.

The property was listed with a realestate agent in late 2008. The property is currently zoned Rural Residential 5 (RR5) and allows for a residential unit for every 5 acres. Each unit would require a well and septic system. This site would allow for smaller lots in a cluster to exercise all of the development potential. The site could be developed into 15+ residential homes.

Although the property is currently listed with a realtor, Cascade Land Conservancy has an option to purchase the property through mid to late 2011. The owners are giving Cascade Land Conservancy through 2010 to complete funding investigation and then to complete a transaction in 2011or they will entertain a development plan for the site.

Project Readiness

While more than 81 acres were listed with a realtor in 2008, only two parcels have been identified for conservation purchase comprising 76 acres on Oakland Bay. The sellers are willing to split the property and sell only 76 acres, comprising the project area. The Conservancy has an agreement to purchase the property contingent on a purchase price at appraised value and receipt of funding that is transferable in the event that WDFW is successful with securing funding.

A title search has not revealed any litigation, liens, judgments, or other situations that would affect the likelihood of success for the project.

Cascade Land Conservancy will conduct a Phase I Environmental Assessment of the property to determine if there are any environmental problems with the site. The Owners currently possess all the required permits for herbicide and pesticide use on the site under current uses.

Ability to Acquire Land

This project is a partnership of the Washington Department of Fish and Wildlife and Cascade Land Conservancy.

About Washington Department of Fish and Wildlife (WDFW)
WDFW is an agency of the State of Washington serving Washington's citizens by protecting, restoring and enhancing fish and wildlife and their habitats, while providing sustainable and wildlife-related recreational and commercial opportunities. WDFW is Washington's principal agency on species protection and conservation. The agency owns and manages over 800,000 acres across the state and envisions a state where its citizens enjoy a healthy, diverse and sustainable fish and wildlife population.

About Cascade Land Conservancy (CLC)
CLC is the largest regional conservation organization in the state serving communities across the greater Puget Sound Region. Since 1989, CLC has protected more than 150,000 acres of natural areas, trails and park spaces, marine and nearshore habitats, and family working farms and forests. With more than 6,000 members, 55 staff, and 5 offices across the region, CLC is an important partner to many federal, state, and local agencies. As a non-profit 501(c) 3 the organization works to negotiate and acquire lands to the benefit of public agencies and local

entities and often steps up to secure property interest and agreements in advance of agencies seeking funding or resources.

Ability to Manage Land

This project is a partnership of the Washington Department of Fish and Wildlife (WDFW) and Cascade Land Conservancy (CLC). WDFW will grant CLC a management agreement to complete the restoration of the site post acquisition.

The property will become a WDFW Wildlife Area once acquired. The South Puget Sound Wildlife Management Unit are committed to preserve habitat and species diversity and to protect and restore native plant communities and provide a diversity of opportunities for the public to encounter, utilize, and appreciate these wildlife areas. WDFW staff have proposed a Citizen Advisor Group to encourage citizen participation in the future planning and restoration of this project area.

Cascade Land Conservancy manages over 6,500 acres in fee as nature preserves and park spaces across the region. With a stewardship staff of 6 and over 55,000 hours of volunteer services annually achieved at over 400 volunteer work events a year, CLC has successfully created partnerships around some of the regions most treasured landscapes.

WDFW and CLC will also engage People for Puget Sound (PFPS) in the restoration of the shoreline. PFPS are the regions leading private non-profit organization doing nearshore restoration organization in the Sound and have restored more than 100 miles of shoreline through community partnerships since 1991.

Other

The sellers do see a community benefit in a conservation solution for this property. If WDFW and CLC cannot demonstrate a high likelihood of available funding to purchase the property in 2011, the Sellers will offer the property to a set of developers to build 15(+) homes on the site. The Seller's believe it will take 12 months to complete the permitting process for a development. Disposition of the property is desired no later than December, 2011.

Photos and Maps

Photos of the property and maps are attached.

Project Timeline: March 1, 2010 – December 31, 2011

Benchmarks:

- Identify project site(s) for acquisition (completed)
- Identify funding for acquisition (completed – grant proposals submitted)
- Secure agreement to purchase the property in 2011 (completed)
- Receive notice of Grant approval for 2011 CELCP grant by March 1, 2011
- Acquire Appraisal and update Title Opinion by April 1, 2011
- Acquire a Phase I Environmental Assessment by August 1, 2011
- Identify Stewardship/ Restoration Funding (spring and summer 2011 grant requests)
- Receive notice of matching funds for CELCP 2011 Grant by July 1, 2011
- Submit documentation of match and intent to close on property to NOAA by December 31, 2011
- Close on property by January 31, 2011

Photos:

Photo 1: Oak tree on edge of Salt Marsh looking East

Photo 2: Johns Creek Mouth – berm with sparse vegetation

Photo 3: Salt Mash looking south west into mouth of Oakland Bay

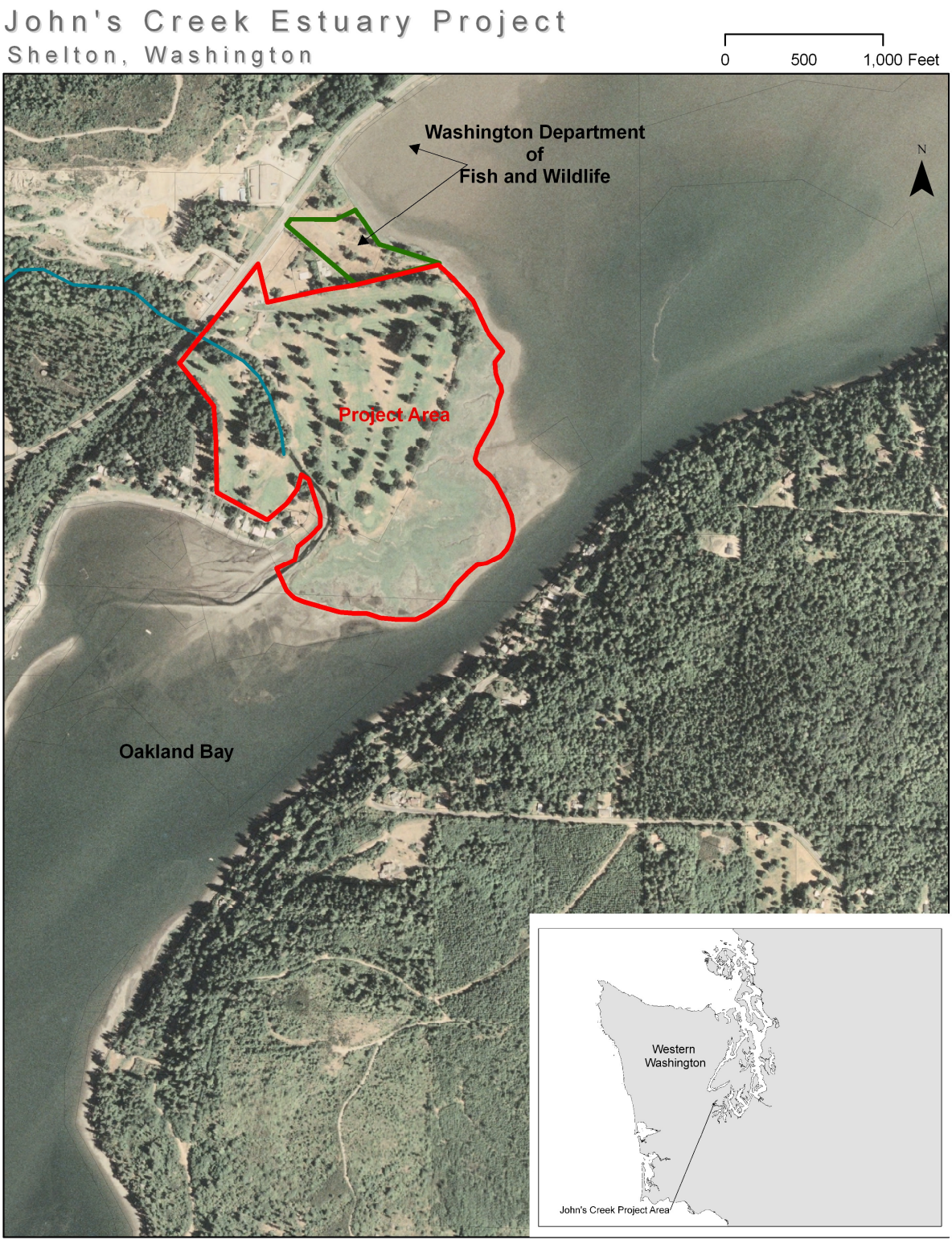
Photo 4: Salt Marsh looking northeast. Note boarder of old oaks trees

Photo 5: Berms along shoreline and manicured areas around the oak trees.

Photo 6: Interior of property.

Photo 7: Condition of John's Creek; spawning stream for salmon species.

Photo 8: Primary structure on the property—clubhouse is modest and could serve as an educa-


John's Creek Estuary Project
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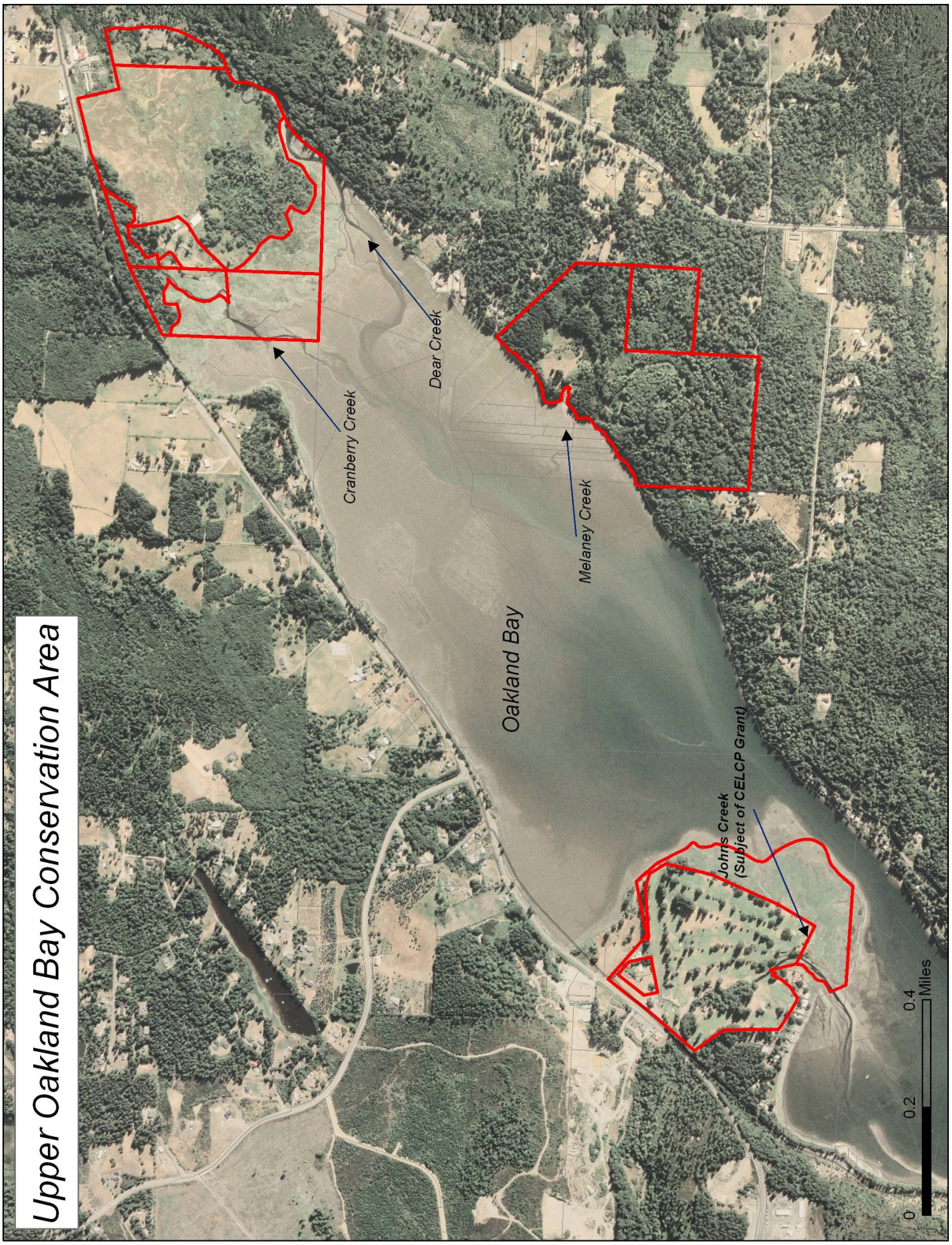
Upper Oakland Bay Conservation Area
Cranberry Creek
Dear Creek
Melaney Creek
Oakland Bay
John's Creek
(Subject of CELCP Grant)
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